

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

MACHAL, INC.

CIVIL ACTION NO. 04-CV-1304

-vs-

JUDGE LITTLE

**JENA BAND OF CHOCTAW
INDIANS, ET AL.**

JUDGMENT

For the reasons stated above, Defendants' Motion to Dismiss is GRANTED to the extent that Plaintiff's claims for declaratory relief concerning the Development Agreements and the state court's assertion of jurisdiction are DISMISSED WITH PREJUDICE because this court is without jurisdiction to hear those claims. In all other respects, Defendants' Motion to Dismiss is DENIED.

Furthermore, Plaintiff's Motion for Summary Judgment is GRANTED, but only to the extent that it requests that this court issue a declaration that the settlement agreements are void without NIGC approval. Accordingly, it is hereby ORDERED, ADJUDGED, and DECREED that the Co-Managers Agreement, the Agreement, the BBC Settlement Agreement, and the Tri-Millennium Settlement Agreement are management contracts that are void without NIGC approval.

Finally, Plaintiff's claim for unjust enrichment is DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1367(c)(3).

Alexandria, Louisiana

21 July 2005

A handwritten signature in black ink, appearing to read 'F. A. Little, Jr.', with a stylized, cursive script.

F. A. LITTLE, JR.
UNITED STATES DISTRICT JUDGE